

**Amendment and Response**

Applicant: Barry D. Kurtz et al.

Serial No.: 09/888,659

Filed: June 25, 2001

Docket No.: 10003919-1

Title: DOCUMENT SERVICES MANAGEMENT INCLUDING AVAILABILITY REPORTING OF DOCUMENT DISTRIBUTION SERVICES

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**REMARKS**

The following Remarks are made in response to the Non-Final Office Action mailed April 8, 2005, in which claims 1, 3, 4, 6-15, 17 and 19-25 were rejected, and claims 5 and 18 were objected to. With this Amendment, claims 1, 3, 4, 15, and 17 have been cancelled without prejudice, and claims 5, 6, 9, 12, 18, 19, 21, and 23 have been amended, including allowable claims 5 and 18 which have been rewritten in independent form. Claims 5-14 and 18-25, therefore, remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 103**

Claims 1-4 and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hower, Jr. et al. U.S. Patent No. 5,467,434 and McLaughlin U.S. Patent No. 5,630,079 in view of Mei et al. U.S. Patent No. 6,816,907. Claims 6-11, 17, and 19-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hower, Jr. et al. U.S. Patent No. 5,467,434.

With this Amendment, claims 1, 3, 4, 15, and 17 have been cancelled without prejudice. In addition, dependent claims 6-13 have been amended to depend from allowable claim 5, and dependent claims 19-25 have been amended to depend from allowable claim 18. The rejection of claims 1-4 and 12-15 under 35 U.S.C. 103(a) and claims 6-11, 17, and 19-25 under 35 U.S.C. 103(a), therefore, is rendered moot.

With this Amendment, independent claim 14 has been amended to clarify that identifying the at least one resource includes identifying at least one printer which provides the print services, clarify that defining the at least one attribute includes defining at least one printer attribute of the at least one printer, and clarify that recording the real-time status and the historical status includes recording at least one of a quantity level of print medium, a status of a print media path, a quantity level of marking material, and a status of an input/output connection of the at least one printer.

With respect to the Hower, Jr. et al., McLaughlin, and Mei et al. patents, none of these patents, individually or in combination, teach or suggest a method of managing document distribution services as claimed in amended independent claim 14.

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In view of the above, Applicant submits that independent claim 14 is patentably distinct from the Hower, Jr. et al., McLaughlin, and Mei et al. patents and, therefore, is in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claim 14 under 35 U.S.C. 103(a) be reconsidered and withdrawn and that claim 14 be allowed.

**Allowable Subject Matter**

Claims 5 and 18 are objected to as being dependent upon a rejected base claim and are indicated as being allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

With this Amendment, Applicant has rewritten allowable claim 5 in independent form to include all of the limitations of the base claim (claim 1) and any intervening claims (claims 3 and 4). Accordingly, Applicant has amended claims 6-13 to depend from rewritten independent claim 5. As rewritten claim 5 is now believed to be in allowable form, Applicant respectfully submits that dependent claims 6-13 are allowable in dependent form. Applicant, therefore, respectfully requests that the objection to claim 5 be withdrawn and that claims 5-13 be allowed.

With this Amendment, Applicant has rewritten allowable claim 18 in independent form to include all of the limitations of the base claim (claim 15) and any intervening claims (claim 17). Accordingly, Applicant has amended claims 19-25 to depend from rewritten independent claim 18. As rewritten claim 18 is now believed to be in allowable form, Applicant respectfully submits that dependent claims 19-25 are allowable in dependent form. Applicant, therefore, respectfully requests that the objection to claim 18 be withdrawn and that claims 18-25 be allowed.

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DOCUMENT DISTRIBUTION SERVICES**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 5-14 and 18-25 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on this 8<sup>th</sup> day of July, 2005.

By:   
Name: Scott A. Lund